IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Richmond Division

LIMELIGHT NETWORKS, INC.,)
Plaintiff and Counterclaim Defendant, v.)))
XO COMMUNICATIONS, LLC.,))
Defendant,) Case No. 3:15-cv-720-JAG
AKAMAI TECHNOLOGIES, INC.	JURY TRIAL DEMANDED
Defendant and Counterclaim Plaintiff,)))
MASSACHUSETTS INSTITUTE OF TECHNOLOGY,)))
Counterclaim Plaintiff.))

AKAMAI TECHNOLOGIES, INC.'S PROPOSED EXHIBIT LIST

Pursuant to Federal Rule of Civil Procedure 26(a)(3), the Patent Case Initial Pretrial Order (Dkt. No. 55), and the November 22, 2016 Order setting case deadlines (Dkt. No. 247), Defendant and Counterclaim Plaintiff Akamai Technologies, Inc. ("Akamai") offers its initial proposed list of exhibits it may use at trial, attached as Exhibit A.

Akamai's exhibit list is designed to comply with the Court's Orders, Local Rules, and the parties' agreements, and to preserve Akamai's rights, based on the present status of the case.

That Akamai has listed an exhibit on its initial exhibit list does not waive Akamai's right to object to certain categories of evidence as being irrelevant or otherwise inadmissible. The parties will exchange objections and present to the Court disputes regarding the issues and

evidence to be presented to the jury and the relevance and admissibility of certain testimony and exhibits. Until the Court addresses and rules on such disputes, Akamai reserves the right to make final decisions regarding what witnesses to call and what exhibits to proffer. The listing of a trial exhibit on Akamai's proposed trial exhibit list does not represent or otherwise require that Akamai introduce that exhibit and does not waive Akamai's right to object to the use or admission of that exhibit by Plaintiff and Counterclaim Defendant Limelight Networks, Inc. ("Limelight").

The descriptions of the exhibits are provided herein for the convenience of the parties only, and are not intended to be an admission as to the scope or substance of the content therein.

Any dates provided with respect to an exhibit are strictly for convenience of the parties and do not constitute an admission that the document contained in said exhibit was published, generated, or otherwise made available on that date.

Akamai reserves the right to use, and incorporates herein, (i) any additional exhibits, if necessary, in rebuttal to exhibits or testimony offered by Limelight or for cross examination or impeachment purposes; (ii) any exhibit designated by Limelight; (iii) any document that becomes available on or after November 30, 2016; (iv) a substantially similar version of any exhibit set forth below from a different source or party's files; and (v) any enlargement, electronic version, or original of any exhibit. Akamai reserves the right to add translations of any foreign language (*i.e.*, non-English) exhibits listed herein to the exhibit list. Akamai reserves the right to remove exhibits from the list based on the outcomes of the pending motions in limine. Akamai reserves the right to use demonstrative exhibits at the trial, disclosed according to the schedule and procedure agreed to by the parties (Dkt. No. 247). Finally, Akamai reserves the right to supplement, amend, or correct this proposed exhibit list, including by providing

better copies of exhibits, should such be required or advisable.

Date: November 30, 2016 AKAMAI TECHNOLOGIES, INC.

By _____/s/ Laura Anne Kuykendall
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CERTIFICATE OF SERVICE

I certify that on this 30th day of November, a true copy of the foregoing will be delivered by electronic mail by electronically mailing a true and correct copy thereof, which will send a notification of such filing (NEF) to the following:

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